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~~CONFIDENTIAL~~

Attorneys for Defendants
CITY OF SAN JOSE and SON VU

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE FACILITY

MERCEDES MARKER,

Plaintiff,

v.

CITY OF SAN JOSE and SON VU,

Defendants.

NO.: C09-05956 RMW

**PARTIES STIPULATION AND REQUEST
TO STRIKE THE ORIGINAL
DECLARATION OF RICHARD D. NORTH
IN SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFF'S MOTION
IN LIMINE #6 AND ATTACHMENT;
~~[PROPOSED]~~ ORDER**

STIPULATION

Plaintiff MERCEDES MARKER ("Plaintiff") and defendants CITY OF SAN JOSE and SON VU ("Defendants") (collectively the "Parties") hereby stipulate and agree as follows:

- (1) The copy of Exhibit A, sole attachment to the original Declaration of Richard D. North in Support of Defendants' Opposition to Plaintiff's Motion in Limine #6, filed February 7, 2014 ("Original Declaration/Exhibit"), was, by inadvertence and mistake, incompletely redacted at the time of filing.
- (2) The Exhibit A attached to the Amended Declaration of Richard D. North in Support of Defendants' Opposition to Plaintiff's Motion in Limine #6, filed

herewith on February 11, 2014 ("Amended Exhibit"), is fully redacted and shall replace the Original Exhibit.

(3) The Parties have a mutual interest in ensuring that confidential information is appropriately redacted from documents filed with the Court and agree that no penalty, sanction or consequence shall result from the substitution of the Amended Declaration and Exhibit for the Original Declaration and Exhibit.

(4) The Parties respectfully request that the Court strike the Original Declaration and Exhibit from the Court's record of the above-captioned case.

Respectfully submitted,

Dated: February 11, 2014

RICHARD DOYLE, City Attorney

By: /s/
RICHARD D. NORTH
Deputy City Attorney

Attorneys for CITY OF SAN JOSE
and SON VU

Respectfully submitted,

Dated: February 11, 2014

Law Office of Michael Millen

By: 
MICHAEL MILLEN

Attorney for MERCEDES MARKER

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~~PROPOSED~~ ORDER

The Court has reviewed the Parties' stipulation above and hereby approves.

- (1) The Declaration of Richard D. North in Support of Defendants' Opposition to Plaintiff's Motion in Limine #6 and attached Exhibit A, filed February 7, 2014, shall be stricken from the Court's record of *Marker v. City of San Jose*, Case No. C09-05956 RMW. (Docket #103)
- (2) The Amended Declaration of Richard D. North in Support of Defendants' Opposition to Plaintiff's Motion in Limine #6 and attached Exhibit A, filed February 11, 2014, shall be accepted by the Court.

Dated: 18, 2014



HON. RONALD M. WHYTE